Previous references.

In File No. 6
of 1904-5

1904

(Municipal.)

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—6

PART B. FOR July 1904—

SUBJECT.

Construction of Anjaneyaswami temple in Ramaveeranettipet in the Bangalore City

FILE No. 6 of 1904-05

Construction of Anjaneyaswami temple in Ramaveeranettipet in the Bangalore City.

1	Petition from Yajaman Nagappa Gowda and others, dated 2nd July 1904. Appeal against the order of the President of the Bangalore City Municipal Commission directing petitioners to stop the construction of the Anjaneyaswamy temple in the Ramaveeranettipet in the City.
2	To the President, Bangalore City, No. 190-6-2—L. B., dated 11th July 1904. Forwards the above for detailed report on the facts of the case.
3	From the President, Bangalore City, No. 22, dated 15th July 1904. Submits a report on the petition from Nagappa Gowda and others of Ramaveeranettipet.
4	From the President, Bangalore City, No. 24, dated 18th July 1904. Submits further information re the construction of an Anjaneya temple in Ramaveeranettipet by Nagappa Gowda and others.
5	From the Secretary, General and Revenue Department, No. 754-6-5—L. B., dated 19th July 1904. Requests that the prohibition against the construction of the temple may at once be withdrawn.
G. R. S. 55.	Acknowledgments to petitioners, No. 755-6-6—L. B. Informs them of the above.

1

R.S. 11] 1904-05

GENERAL AND REVENUE SECRETARIAT.

(Municl.)

NOTES.

File No. 6 of 1902

FILE HEADING.

Construction of Sri Anjaneya Swamy temple in Ramaseeranahally, pete of the Bangalore City.

DIN

Yajaman M. Nagappa Gowda & others.

No. Dated 28 July 02 Received

Diary No. 50 / 262 | Enclos. 2 | Spare Copies. Nil | Serial No. 1

BRIEF ABSTRACT OF LETTER.

Appeal against the President's order directing them to stop the construction of the temple until they get the consent of the whole Community.

NOTES AND ORDERS.

Draft forwarding the Petition for to the President of the City Municipal Commission for a report of the facts of the case is submitted for approval or other orders.

Draft-Letter to

7/Aug

Pages—First sheet. 5/7/2

MGCPB—6,000—15-8-02 7/Aug

neral and Revenue Secretariat. | File No. 6 of 1904

Serial No.	
3	3 Letter no 22 dated the 15th July 1904 (Diary no 369) from the President of the Municipal Commission, Bangalore City.
	4 Submits his report of the facts of the case and states that he believes he was in order in the official work on Concerning the license which he has power to issue
	Ord 5 Submitted for orders
4	19/7 6 Letter no 24 dated the 18th July 1904 from the same officer. Submits for reference 32 documents produced by Nagappa Gowda and states that all of them refer to a house attached to the said temple and not to the temple itself.
	7 Submitted
	Ord. on 9/7/07 The papers produced by the Petitioner and referred to by the President show beyond doubt that the Petitioners father and himself were the Managers of the

Serial No.

Temple for more than 30 years and as such were paying the Municipal tax on the house attached to the Temple from 1876 & 1877 and had obtained a license for the reconstruction of the Archik's house so far back as September 1874. Please see Doctor Orr's order ✕ of 16 th September 1874 & the plan put up therewith.

8 When the former Presidents had issued licenses for the reconstruction of the Anjaneya Swami Temple which is in a much dilapidated Condition & had renewed such licenses, Mr. Nagarkar had no power to interfere in the matter and to order the Petitioners to stop the work. If he had any doubt he should have obtained the

General and Revenue Secretariat.

File No. 6 of 1904

Serial No.

orders of Government. When an Officer has no power to cancel his own order, it is to be very much regretted that the present President should have attempted to cancel his predecessor's order & thereby stopped the prosecution work. As the President has no power to issue such an order, he may, if approved, be asked to withdraw the same, leaving the parties to settle their dispute if any, in a Court of Law.

Submitted for orders.

D. Ramayya

21/7/04

A.S. to Govt 22/7

I think so

22.7.1904

Hon'ble Mr. Clay 22/7

5 Do Ref No 754-6-5 Dt 29.7.1904. Observes that, in the circumstances, he has no power to ask the petitioners to stop the work and requests that the prohibition against the construction of the temple may be withdrawn leaving the parties to settle their dispute if any, in due course.

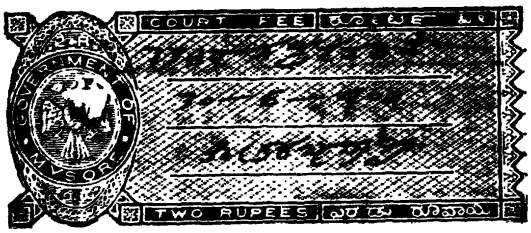
OTE—Contin. sheet

R.S. 12]
General and Revenue Secretariat.

File No. 6 of 1904

Serial No.	
6	Endorsement no. 755-6-6 dated the 29th July 1904 to Nagabhatta Gowda & others petitioners Informs them that the President has been requested to withdraw the prohibition against the Condemnation of the temple.

MGCPB—10,000—31-8-04.



2nd. F 6 of 1904

Diary No. 50.

The Government of His Highness the Maharaja

of Mysore

In the Department controlling Municipal bodies.

The humble petition of Kunchigar Yejman Nagappa Gowda Lankappa and others who have signed below.

Most respectfully showeth:-

1. That they are the residents of Kanaveerasetty Petta, Bangalore City, and M.Nagappa is the Yejman and Lankappa the Gowda or the Setty of their community. And Yejman Nagappa and his father Yejman Muddanna have been managing the affairs of the temple of Sri Anjaneya Swamy and the poojari's house and a vacant site attached to the temple in Kanaveerasetty Petta for the past 40 or 45 years, as it is quite evident from the several documents in the custody of Yejman M.Nagappa at present, and from certain records in the Municipal Office.

2. That as the said temple largely needed repairs, and as it was advisable to rebuild the whole thing, M.Nagappa applied for and obtained permission in the year 1902 for rebuilding the temple and got the same renewed in the years 1903 and 1904, and has been carrying on the stone work at a large outlay.

3. That quite recently, a small number of the Kunchigar community consisting of only some 15 persons, who have formed themselves into a faction on account of some ill-feeling, raised some unworthy objections and addressed a petition to the President who, without any enquiry, or any notice to the said Yejman M. Nagappa, directed the work to stopped, as per his communication, dated 6th. June 1904,

herewith submitted.

4. That when the petitioners put forward their claims and explained matters to him, the said President granted the endorsement dated 17th. June 1904, herewith submitted.

5. That the petitioners justly feel aggrieved at the said order and endorsement for the following reasons:-

(a) That the direction to stop the work is against all Law that governs Municipal Bodies and is quite unauthorized.

(b) That Section 116 of the Bangalore Municipal Regulation No.III of 1888, is the only provision of Law that governs the subject, and according to it the President has no authority to direct the work to be stopped on any grounds other than those mentioned therein.

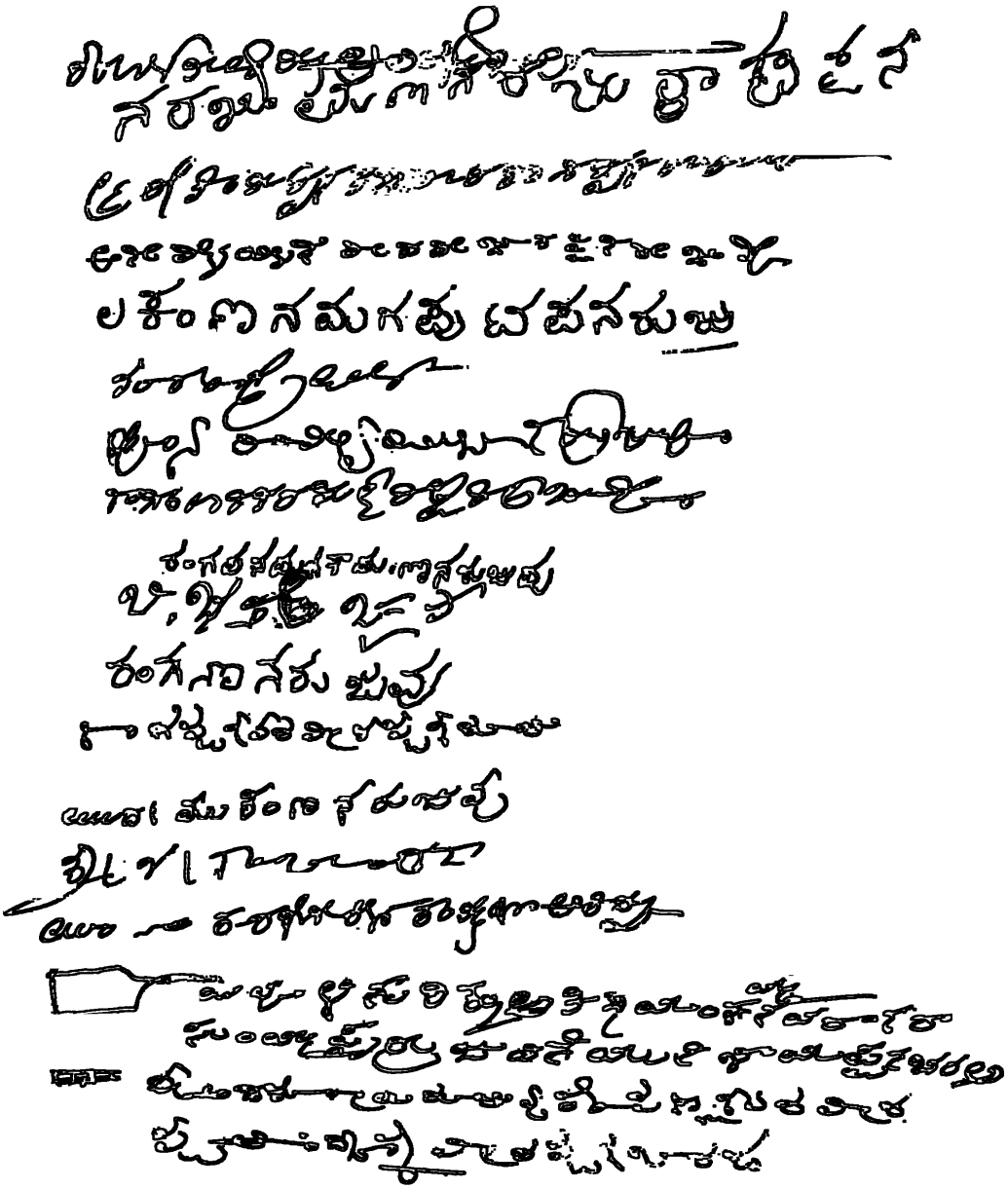
(c) That in the endorsement of 17th. June 1904, the President, though professing not to be interfere in the matter, does substantially interfere therein in as much as he says that either trustees or an Yejman should be appointed with the consent of the whole community.

(d) That by this expression of opinion, the interests of Yejman M. Nagappa and of the large number of people whom he represents are a great deal jeopardized, and the President has exceeded the limits of his authority and of the requirements of the occasion.

(e) That the handful of people who are opposed to the petitioners take undue advantage of these expressions and put all sorts of obstacles and trouble in the way of progress of the work.

For these reasons, the petitioners most respectfully and humbly pray that the Government will be pleased to cancel

the above mentioned orders dated 6th. June 1904 and 17th. June 1904, as illegal and unauthorized, and direct the President of the City Municipality to conform himself to the strict requirements of the Regulation, as contained in Section 16 in this case, as well as in other cases of a similar nature.



Encl: Petition Regd
(2)
No (190) Fin 02 — 3/7/04
L.B
Official Memo 6

Encl: Petition Regd
with its 2 encls:

Special Petition Regd
No 50 dated the 2d July
1902 from M. Nagabha
Gowda and other residents of
Ramaseeravasthy pete of
the Bangalore City, appeal-
ing against the Presidents
order requiring them to
stop the Construction of
the Sri Anjaneya Swamy
temple in their pete, as
forwarded to the President
of the Municipal Commission
Bangalore City, for a
detailed report of the
facts of the case & the
authority under which his orders
are based.

By Order,
8/7/1904
Asst Secy

Secy
Ramaiya

Secy 9/7
Camp Coll 9/7

7/7/04

Asst Secy

17 Dasara 5.7.11

Diary No 241

To

The Government
of
His Highness The Maharaja of
Mysore

In the Municipal department.

Re Anjaneyaswami Temple in Nava-
Veerashetty pete - Bangalore city

The humble petition of M.
Nagappa, Yajaman, Lakshya
Sahib, and others of the Hindu
for Community most respect-
fully sheweth.

That the petitioners submitted a pe-
tition on the 30th of June last complaining
against the order of the President, of the
Bangalore city municipal commissioners
withdrawing the license granted to M
Nagappa to rebuild the temple of Sri Anje-
neyaswami

That the petitioners referred to document
in their possession shewing that M. Nagappa
and his father Muddanna were receiving
as the yejmans of the Community and were
managing the affairs of the temple and
the Archaka house, and a vacant piece
of land attached to the temple. But the
petitioners now think it desirable to produce
the said documents for perusal and
do beg permission to present them herewith

That as the main line set in the

work has to proceed very speedily and therefore the petitioners most respectfully pray that the Government will be graciously pleased to consider the case and direct the issue of a license to Mr. Nagappa as usual, or rather direct that the license already issued to him be not withdrawn but confirmed.

11.7.1904

Encl 3

7

From

The President, Municipal Commission, Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. & Rev. Departments,
Bangalore.

Dated 15

Despatched 18 July 1904

Received

General No. 22
No.

Enclosure No. 3

Reporting on petition from Nagappa Gowda & others of Rajamahalpet

Diary no 369 Rel F 6-02 (3)

8

OFFICE OF THE MUNICIPAL COMMISSION,

City Bangalore, 15th January 1904

No. 22
Encl. 3

FROM

THE PRESIDENT,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
BANGALORE.

SIR,

With reference to your Official Memorandum NO: 190-(6/04-2)-L.B. dated the 11th Instant, forwarding for report a petition from Nagappa Gowda and other Kunchigars - residents of Ranaveerasetty Pete of the Bangalore City, - appealing against the order requiring them to stop the - construction of the Anjaneya temple in their pete, I have the honor to state that Nagappa applied for and obtained a license for the repair of the temple so far back as May 1902. He got it once renewed in February 1903 and again in January 1904. It is not clear how license came to be issued in the first instance when his name does not appear against the temple in the Municipal Registers.

2. **When the last renewal was granted, Mullappa and other members of the same community and residents of the same pete as the petitioners belong to, put in a petition in June last bringing to notice that there were for a long time past two factions in their community, that Nagappa - represented only one of the factions, that he clandestinely applied for and obtained a license to rebuild the temple , which was the common property of the whole community, with a view to establish his sole right thereto and that the - continuance of the license and the progress of work under**

its authority would give room for general dissatisfaction — among the whole community and cause breach of the peace.

3. In the enquiry made in the matter, it was found that though Nagappa obtained license so far back as 1902, he did — not start work until recently. The opposite faction is -- stated to have not been aware of the issue of the license to - Nagappa until the work was actually put in hand. The fact of - Nagappa's inaction for two years after the issue of the license -more especially when the condition of the temple was pronounced to be dilapidated and dangerous-shows how afraid he was of the opposite party and that he felt he had no right to represent the whole community. The moment he showed activity there was the - opposition.

4. Under these circumstances, the stoppage of work under - the license was ordered until Nagappa proved that he was entitled to represent his whole community which was said to be divided - into two factions.

5. I believe I was in order in stopping work or cancelling the license which I have power to issue.

6. The appeal petition with its enclosures is herewith returned.

I have the honor to be

Sir,

Your most obedient servant,

A.L. Nagarkar

President.

st of papers received with the application addressed to Government by Nagappa & others.

Particulars	Papers	Remarks.
Receipts granted for the recovery of taxes levied on Sriyaneyaswamy temple and house belonging to it as follows —		
For the half year ending		
— do — 31st March 1877.	1	
— do — 30th Septr 1877.	1	
— " — 31st March 1878.	1	
— " — 30th Septr 1879.	1	
— " — 31st March 1880.	1	
For the year ending 31st March 1881.	1	In the name of Moodanna —
do — house — for 1881 — 82.	1	— do —
— " — " — 1882 — 83.	1	— do —
— " — " — 1883 — 84.	1	— do —
— " — " — 1884 — 85.	1	
— " — " — 1885 — 86.	1	In the name of Moodanna —
— " — " — 1886 — 87.	1	— do —
— " — " — 1887 — 88.	1	— do —
— " — " — 1888 — 89.	1	— do —
— " — " — 1889 — 90.	1	— do —
— " — " — 1890 — 91.	1	— do —
— " — " — 1891 — 92.	1	" Nagappa.
— " — " — 1893 — 94.	1	Moodanna.
— " — " — 1894 — 95.	1	" Nagappa —
— " — " — 1895 — 96.	1	" — do —
— " — " — 1896 — 97.	1	— do —
— " — " — 1897 — 98.	1	— do —
— " — " — 1898 — 99.	1	— do —
— " — " — 1901 — 1902.	1	Nagappa son of Moodanna. —

— Notices —	
Notice No 7 dated 17 March 1881 issued to Yajaman Mooddanna requiring him to whitewash Anjaneyaswamy temple —	1
Notice No 60 dated 16-11-03 issued to Nagappa to remove the dangerous portion of house No 139 Kilari road. — — —	1
— Licences —	
License No 291 dated 16th Sept 1884, granted to Yajman Mooddanna for constructing a house in the Architect's house land belonging to Anjaneya-swamy temple. — — — — —	1
—— do —— do —— Plan —	1
License No 176 dated 5th May 1902, issued to Nagappa for constructing Anjaneyaswamy temple in Ranaveera chetty pete belonging to Kouchigar caste	1
—— do —— do —— Plan	1
Renewal license No 161 dated 24th Feb: 1903 granted to Nagappa for the above —	1
Do — No 127 Dated 19 January 1904. — do —	1
	32

A. Nagarkar

PRESIDENT, MUNICIPAL COMMISSION
BANGALORE CITY.

1917 / 11 A 3 ch 9/1917

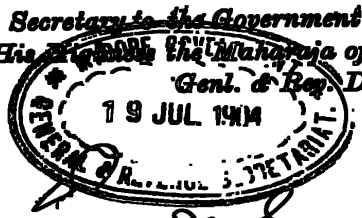
wtF 6 Rs
190 4 (4) 12

From

The President,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Genl. & Rep. Departments,
Bangalore.



Dated

Despatched 19 July 1904

Received

General No. 24.
No.

Enclosure/No. 32

Submitting further papers relating to the construction of a Anjaneya temple in Ranavenkatti pet by Nagappa Gowda and others of the said pete

Diary No 432 6 of 1904 (4) 13

OFFICE OF THE MUNICIPAL COMMISSION,

City Bangalore, 18 to July 1904
19

No, 24
Each: 32

FROM

THE PRESIDENT,
Municipal Commission,
Bangalore City.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General and Revenue Departments,
BANGALORE.

Sir,

D 369 received 19/7

In continuation of my letter No. 22 dated the 15th Instant reporting on the appeal petition of Nagappa Gowda and others of Ranaveerasettipet in Bangalore regarding the construction of an Anjaneya temple in that street, I have the honor to submit herewith, for reference and obliging - return, 32 documents produced by Nagappa Gowda, consisting of receipts, notices and licenses, as per list annexed, issued by the Municipality on various occasions, and to state that all of them refer to a house attached to the said temple and not to the temple itself.

I have the honor to be

Sir,

Your most obedient servant,

A. Nagarkar

President.

B.V.

#B
Rj 2/8

G.L.S 1904-05 14

From

Secy. to the Govt. of His Highness the Maharaja of Mysore, Genl. and Rev. Depts.

To The President of the Inami Commte Bangalore City

Dated 29/12
Despatched
Received
General No. 754-6-5
No. L.13

Enclosure No. Nil Nil Records

2 drafts

His letters ord: L 22 & 24 dated the 15th and 18th July 1902 in regard to the construction of an Anjenaiya swamy temple in Ramaveeranapalya peke of the Bangalore City

Has the honour to observe that the papers produced by Nagabha ~~Gowda~~ and submitted to ~~Government for reference~~ show beyond doubt that the

Petitioner Rapaport
father and himself have been
the managers of the
temple since more than
20 years and have,
such been paying the munici-
pal tax on the house
attached to the temple from
1876 & 1877 and that they
have obtained a license
for the reconstruction
of the said house
so far back as in September
1874. (Vide Doctor Orri
order dated the 4th Septr
1874 and the plan attached
thereto as among the papers
produced). The
former Presidents have
since licences for
the reconstruction of
the temple, which is
in a most dilapidated

Condition, and ~~has also~~ them from time to time to be renewed, ~~under Regulations~~, the present President had no power to interfere in the matter and to ask the petitioners to stop the work, ~~except that~~ and ~~office has no power to~~ ~~cancel, this order or that~~ ~~if he has any doubts~~ in the matter he should have obtained instructions from the Government. He therefore Requests that, ~~the~~ ~~foregoing circumstances~~ the prohibition against the Construction of the temple may be withdrawn among the villagers ~~requested~~ to resolve their dispute, if any in a Court of law.

2. The original papers are returned herewith.

By order

27.7.54

Spl Sec 28/7
Comp Ch
J.C. Rajadhyaksha
re A. Ramanuja

A. Sec
28/7

28/7/54. Offg Secy

2 drafts

St. 6 Endorsement 17

253=6-6
L. 63

Kv: 83

3/29/14 Endorsement granted to Gayaman Ragappa Gowda and others of Ranaweera vatte Pété of the Banga- in reply to their petition Regd on 2nd July 1904.
Kore tidy, appealing against the President's order withdrawing the licence once granted to them for rebuilding an Anjanaiya Swamy temple in their Pété

Petitioners are informed that the President has been requested to withdraw the prohibitory order issued by him against the construction of the said temple according to the plans submitted to him.

2. The enclosures to their petition are returned

"By order"

Office Secty

9/25/14

C. Rutherfurd Cunningham

Typed 28/7
Compd 28/7